

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTINE PETERSON	:	CIVIL ACTION
	:	
v.	:	NO. 17-5227
	:	
THE BOROUGH OF UPLAND, et al.	:	

ORDER

AND NOW, this 6th day of June 2018, upon considering Defendant Ocasio's Motion for judgment on the pleadings (ECF Doc. No. 25), Plaintiff's untimely opposition (ECF Doc. No. 30), and for reasons in the accompanying memorandum, it is **ORDERED**:

1. Defendant Ocasio's Motion for judgment (ECF Doc. No. 25) is **DENIED**;
2. Due to the ongoing related matters in the earlier filed *Ocasio v. Mayor Michael Ciach, et al*, No. 17-755 (E.D.Pa.) and *Commonwealth v. Edward M. Mitchell*, CP-23-CR-0004169-2017 (C.C.P. Del.Co., Pa.), we **amend** our March 16, 2018 Order (ECF Doc. No. 16) as to the following prospective trial obligations and in no other aspects:
 - a. All fact and expert discovery shall be served, noticed and completed by **October 19, 2018**; ¹
 - b. Counsel for each party shall serve upon counsel for every other party the information referred to in Federal Rule of Civil Procedure 26(a)(2)(B) necessary to meet their burden of proof by expert report or answer to expert interrogatory no later than **September 21, 2018**. If the evidence is intended solely to contradict or rebut evidence on the same subject matter identified by another party, counsel shall serve such rebuttal evidence on counsel for

¹Should *all* parties wish to extend this *discovery* deadline *without extending any other deadline*, the parties may agree to do so without seeking leave of the Court.

every other party no later than **October 15, 2018**. Expert depositions, if any, shall be concluded no later than **October 19, 2018**;

c. Summary judgment and *Daubert* motions, if any, shall be filed no later than **November 1, 2018**. Responses shall be filed in accord with the Local Rules and this Court's Policies and no later than **November 16, 2018**;

d. No later than **December 3, 2018**, counsel for each party shall exchange a list identifying each exhibit the party expects to offer at trial along with a reference to the Bates number or other identification of the documents used in discovery;

e. No later than **December 5, 2018**, each party shall file a pretrial memorandum compliant with this Court's Policies;

f. No later than **December 6, 2018**, each party shall file proposed jury instructions on substantive issues and proposed verdict forms or special interrogatories, with an electronic copy e-mailed in Word format to Chambers_of_Judge_Kearney@paed.uscourts.gov. ;

g. All motions *in limine*, proposed *voir dire* peculiar to your case, objections to proposed jury instructions and deposition designations (providing the transcript to Chambers) shall be filed on or before **December 10, 2018**. Responses, including counter-designations, if any, shall be filed on or before **December 20, 2018**;

h. A final pretrial conference will be held telephonically on **January 3, 2019** at **8:30 A.M.** Plaintiff's counsel shall arrange for conference line and call Chambers when all trial counsel are online; and,

i. Counsel is attached for jury selection followed by a 4-day trial beginning on **January 8, 2019** at **9:00 A.M.** Courtroom 6-B.



KEARNEY, J.